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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,147	03/30/2004	Shigekazu Nagai	P04-1006	5427

56026 7590 10/27/2005

YOKOI & CO. U.S.A., INC.  
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MARINA DEL RAY, CA 90292

EXAMINER

HANNON, THOMAS R

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/813,147

Applicant(s)

NAGAI ET AL.

Examiner

Thomas R. Hannon

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/7/05</u> . | 6) <input type="checkbox"/> Other: ____.  |

Art Unit: 3682

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagai et al. 6,344,718 in view of Ernst et al. 4,057,258

Nagai et al '718 discloses an actuator which transforms rotation a driving force of a rotational driving source into a linear motion through a driving force transmitter and moves a slider to transport a workpiece, the actuator comprising a body in which the driving force transmitter is located; a slider which is partially exposed from a slit extending along the length of the body and moves along the axis of the body and a pair of bodies with extend along the slit be a prescribed length and face each other with the slider between them and is slit by the slider as the slider moves. Ernst discloses a slider with is partially exposed fro a slit extending along the length of a body and moves along the axis of the body, a pair of magnetic bodies which extend along the slit by a prescribed length and face each other with the slider between them, and a

Art Unit: 3682

magnetic fluid which is held between the pair of magnetic bodies, closing the slit, and is split by the slider as the slider moves. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the slider assembly of Nagai et al. such that the slit includes a pair of magnetic bodies and a magnetic fluid because this is taught and suggested by Ernst et al. as providing a hermitically sealed environment suitable for a vacuum arrangement.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi 6,241,230 in view of Ernst et al. 4,057,258.

Kawaguchi discloses an actuator which transforms rotation a driving force of a rotational driving source into a linear motion through a driving force transmitter and moves a slider to transport a workpiece, the actuator comprising a body in which the driving force transmitter is located; a slider which is partially exposed from a slit extending along the length of the body and moves along the axis of the body and a pair of bodies with extend along the slit be a prescribed length and face each other with the slider between them and is slit by the slider as the slider moves; the slit is provided between a first cover of the body and a second cover which is located away from the first cover by a prescribed distance virtually vertically. Ernst discloses a slider with is partially exposed fro a slit extending along the length of a body and moves along the axis of the body, a pair of magnetic bodies which extend along the slit by a prescribed length and face each other with the slider between them, and a magnetic fluid which is held between the pair of magnetic bodies, closing the slit, and is split by the slider as the slider moves. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the slider assembly of Kawaguchi such that the slit includes a pair of magnetic bodies and a magnetic fluid

Art Unit: 3682

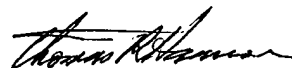
because this is taught and suggested by Ernst et al. as providing a hermitically sealed environment suitable for a vacuum arrangement.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R. Hannon whose telephone number is (571) 272-7104. The examiner can normally be reached on Monday-Thursday (8:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas R. Hannon  
Primary Examiner  
Art Unit 3682

trh